

# PATENT APPLICATION

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

ATTORNEY DOCKET NO. LEX-0348-USA

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Novel Human Kinases and Polynucleotides Encoding the Same

the specification of which is attached hereto unless the following box is checked:

(X) was filed on 05/20/02 as US Application Serial No. or PCT International Application

Number 10/196,927 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

### Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES: _____ NO: _____
			YES: _____ NO: _____

### Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE
60/293,248	5/24/2001

### U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)

### POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Lance K. Ishimoto, Reg. No. 41,866

Peter G. Seferian, Reg. No. 40,162

David W. Hibler, Reg. No. 41,071

<b>Send Correspondence to:</b> Lance K. Ishimoto <b>LEXICON GENETICS INCORPORATED</b> 8800 Technology Forest Place The Woodlands, TX 77381	<b>Direct Telephone Calls To:</b> Lance K. Ishimoto (281) 863-3333
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: D. Wade Walke

Citizenship: USA

Residence: 7507 Danehill Drive, Spring, TX 77389

Post Office Address: Same

D. Wade Walke  
Inventor's Signature

10/8/02  
Date

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION (continued)

ATTORNEY DOCKET NO. LEX-0348-USA

Full Name of Inventor: John Scoville

Citizenship: USA

Residence: 8222 Kingsbrook Dr. #543, Houston, TX 77024

Post Office Address: Same

Inventor's Signature

Date

10/11/02

Full Name of Inventor: Carl Johan Friddle

Citizenship: US

Residence: 127 S. Goldenvine Circle, The Woodlands, TX 77382

Post Office Address: Same

Inventor's Signature

Date

8/22/02

# ASSIGNMENT OF PATENT APPLICATION

FOR GOOD AND VALUABLE CONSIDERATION,

We, the undersigned (each) have agreed and hereby agree to assign for good and valuable consideration, receipt of which is hereby expressly acknowledged, and do hereby sell, assign and transfer unto

Lexicon Genetics Incorporated

a corporation organized under the laws of the state of Delaware as Assignee, and its successors, assigns and legal representatives, the entire right, title and interest, for all countries in and to certain inventions relating to

Novel Human Kinases and Polynucleotides Encoding the Same

described in an application for Letters Patent of the United States, identified at Lexicon Genetics Incorporated as Attorney Docket No. LEX-0348-USA, and filed on 5/20/2002, as Application Serial No. 10/196,297, which claims priority to U.S. Provisional Application No. 60/293,248 which was filed on 05/24/2001 and the invention(s) and improvement(s) set forth therein, and any and all continuations, continuations-in-part, divisionals, and renewals of and substitutes for said application for said Letters Patent, and all the rights and privileges under any and all Letters Patent that may be granted therefor in any country, and any reissues, or reexaminations, or extensions of said Letters Patent. We request that any and all Letters Patent for said inventions be issued to said Assignee, its successors, assigns and legal representatives, or to such nominees as it may designate.

We agree that, when requested, we will, without charge to said Assignee but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in said Assignee, its successors, assigns and legal representatives or nominees.

We authorize and empower the said Assignee, its successors, assigns and legal representatives or nominees, to invoke and claim for any application for patent or other form of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said Assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International convention which may henceforth be substituted for it.

We hereby authorize Lance K. Ishimoto, attorney for Assignee, to insert the filing date and Serial number into the first paragraph of this assignment, after the application for Letters Patent has been filed, and the U.S. Patent Office has assigned such application a Serial Number.

We covenant with said Assignee, its successors, assigns and legal representatives, that the rights and property herein conveyed are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

IN WITNESS WHEREOF, we have hereunto signed our name(s) on the day and year set forth below.

D. Wade Walke  
Inventor (signature)

10/8/02  
DATE

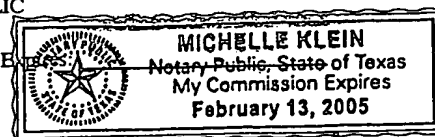
D. Wade Walke  
(Inventor's Typed Name)

STATE OF Texas )  
) SS  
COUNTY OF Montgomery )

On this 8th day of October, 2002, before me personally came the above named D. Wade Walke who is personally known or proved to me on the basis of satisfactory evidence to be the same individual who executed the foregoing assignment, and who acknowledged to me that he/she executed the same of his/her own free will for the use and purposes therein set forth.

Michelle Klein  
NOTARY PUBLIC

My Commission Expires



John Scoville  
Inventor (signature)

10/11/02  
DATE

John Scoville  
(Inventor's Typed Name)

STATE OF Texas )

) SS

COUNTY OF Montgomery )

On this 11th day of October, 2002, before me personally came the above named John Scoville who is personally known or proved to me on the basis of satisfactory evidence to be the same individual who executed the foregoing assignment, and who acknowledged to me that he/she executed the same of his/her own free will for the use and purposes therein set forth.

Michelle Klein  
NOTARY PUBLIC

My Commission Expires:



Carl Johan Friddle  
Inventor (signature)

8/23/02  
DATE

Carl Johan Friddle  
(Inventor's Typed Name)

STATE OF Texas )

) SS

COUNTY OF Montgomery )

On this 23rd day of August, 2002, before me personally came the above named Carl Johan Friddle who is personally known or proved to me on the basis of satisfactory evidence to be the same individual who executed the foregoing assignment, and who acknowledged to me that he/she executed the same of his/her own free will for the use and purposes therein set forth.

Michelle Klein  
NOTARY PUBLIC

My Commission Expires:

